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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,598	03/17/2004	Sakari Kotola	4208-4183 (NC45113)	1909
27123	7590	11/08/2005	EXAMINER	
MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101			NGUYEN, SIMON	
			ART UNIT	PAPER NUMBER
			2685	

DATE MAILED: 11/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/801,598

Applicant(s)

KOTOLA ET AL.

Examiner

SIMON D. NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4-5, 20-21, 26-27, 38-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wynblatt et al. (6,219,696) in view of Lorello et al. (US 2004/0224706 A1).

Regarding claim 1, Wynblatt discloses a drive-by internet information distributing information to a mobile terminal (26), wherein the system having a local agent (28) for distributing information to the mobile terminal via a short range transmitter (abstract, fig.2), comprising: receiving a remote service link (URL) across a SWR by a service provider (42) (column 2 lines 40-48, 59-67, column 4 line 62 to column 5 line 8); deleting (dropping) stored links when a queue is full to make room for a new one (column 4 lines 35-37); storing the service link (column 2 line 42). However, Wynblatt does not specifically disclose the steps of replacing an earlier stored link with a newly received link when the identifier is the same and displaying the newly received link.

Lorello discloses the steps of replacing an older message previously stored by a newly received message when the messages are the same identifier (paragraphs 64, 72, 86, 86, abstract) and displaying the newly received message (paragraph 93, fig.5D).

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have Wynblatt, modified by Lorello in order to provide an efficient use of memory capacity.

Regarding claims 20-21, these claims are rejected for the same reason as set forth in claim 1.

Regarding claims 38-39, these claims are rejected for the same reason as set forth in claim 1, wherein a stored program code, a processor for executing the stored program code are inherently in the system in order to make it works.

Regarding claims 40-41, these claims are rejected for the same reason as set forth in claim 1, wherein the program product is inherently in the system for executing the service.

Regarding claims 4-5, 26-27, Wynblatt further discloses user activating the links (column 4 line 9-22) of a mobile (wireless) terminal (column 3 line 66), which inherently used in a cellular communication network.

3. Claims 2-3, 6-7, 9-19, 22-25, 28-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wynblatt et al. (6,219,696) in view of Lorello et al. (US 2004/0224706 A1) in view of Ausems et al. (US 2003/0013483).

Regarding claims 2-3, 6-7, 10-12, 22-25, 28-30, in the modified Wynblatt system, Wynblatt discloses the links (URLs) stored in a URL queue. Lorello discloses storing in a folder, displaying folder menu, icons, service type (figs.6-7, 9). However, the modified Wynblatt system does not specifically disclose storing including telephone numbers.

Ausems discloses a PDA receiving a short range wireless signal related to the information of multiple linked pages (paragraphs 17, 31), wherein the information is stored in a folder menu, and being displayed in a form of the folder menu, icons and service type (paragraphs 18, 76-81), telephone numbers (paragraph 48). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have modified Wynblatt, modified by Ausems in order to shorten a search time.

Regarding claims 13, 31, Wynblatt discloses the mobile terminal accessing link from an Internet with a website address (fig.2) which means the link is a wireless access protocol resource identifier.

Regarding claims 14-16, 32-34, in the modified Wynblatt system, Lorello discloses a SMS (paragraph 2). However, the modified Wynblatt system does not specifically disclose a HTML, and a bluetooth.

Ausems discloses the system implemented a HTML (paragraphs 53, 57), a SMS (paragraphs 61, 67), a bluetooth (paragraphs 42, 47, 64).

Regarding claims 17, 35, Wynblatt discloses the mobile terminal wireless receiving service links from a local agent (fig.2), which means the network inherently including a WLAN.

Regarding claims 9, 18-19, 36-37, in the modified Wynblatt system, Lorello discloses the link identifier. However, the modified Wynblatt system does not specifically disclose an identifier of the service provider, the short-range wireless network employs UWB and RFID.

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It should be noted that in the art of providing message such as weather, stock, news information, which included an identifier of the service provider, is known to those skilled in the art. Besides, the short range transmission as a bluetooth of Ausems is obviously used an UWB and employed in a RFID which is also known to those skilled in the art in order to improve the transmission signal at a short distance.

Response to Arguments

4. Applicant's arguments with respect to claims 1-7, 9-41 have been considered but are moot in view of the new ground(s) of rejection.

Regarding independent claims, the new cited art of Lorello discloses the step of replacing an earlier stored information with the newly received information when the identifier is the same.

5. The previously Allowable Subject Matter related to claims 20, 39, 41 are withdrawn. These claims are now rejected under the new cited art of Lorello.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Simon Nguyen whose telephone number is (571) 272-7894. The examiner can normally be reached on Monday-Friday from 7:00 AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban, can be reached on (571) 272-7899.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 306-0377.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

600 Dulany, Alexandria, VA 22314

Or faxed to:

(703) 872-9314, (for formal communications intended for entry)

Hand-delivered response should be brought to Knox building,

501 Dulany, Alexandria, VA.

Simon Nguyen

November 1, 2005

SIMON NGUYEN
PRIMARY EXAMINER

Simon Nguyen